IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.75459-M of 2006
Date of Decision:- 19.02.2007

Izaz ....Petitioner(s)

through
Mrs.Sarla Chaudhary, Advocate

vs.

State of Haryana & anr. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

The petitioner is undergoing life sentence for the murder of his own wife. There are five unfortunate children born out of the wedlock. The petitioner used to reside in a *Jhuggi* in Faridabad when the offence was committed and/or he was sentenced.

His request for parole for house repairs has now been turned down on the ground that unauthorized *Jhuggis* where the petitioner used to reside with his family have since been removed/demolished by the Municipal Corporation, Faridabad and nothing exists at the spot.

It further appears that the miseries of the petitioner's five children have multiplied. In the written statement, the respondents are not sure about their whereabouts.

While the petitioner's request for parole for house repairs may not fall within the ambit of “sufficient cause” under Section 3(1)(d) of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988, his desire to meet the children would undoubtedly fall within the said clause provided that his children are equally keen to meet him. May be that the petitioner's

children also apprehend danger to their lives at the hands of the petitioner who had killed their mother. If this kind of fear is there in the mind of the children, it may not be desirable to release the petitioner on parole to meet them. However, there would be absolutely no harm in re-establishing the ties between the children and the father and which can be effectively achieved if the Authorities can trace out the children and arrange for their visit to the Jail where the petitioner is lodged, at the Government expense.

Let the respondents take necessary steps in the light of the observations made hereinabove and in accordance with law within a period of three months from the date of receipt of certified copy of this order.

Disposed of.

February 19, 2007 **(SURYA KANT)**
poonam **JUDGE**